

Creativity Will Save us

PAIA MANUAL

Prepared in terms of section 51 of the Promotion
of Access to Information Act 2 of 2000 (as amended)

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1. List of acronyms & abbreviations

1.1	"CSI"	Creative Social Innovator
1.2	"CIO"	Chief Integrity Office
1.3	"DIO"	Deputy Information Officer
1.4	"IO"	Information Officer
1.5	"Minister"	Minister of Justice and Correctional Services
1.6	"PAIA"	Promotion of Access to Information Act No. 2 of 2000 (as Amended)
1.7	"POPIA"	Protection of Personal Information Act No.4 of 2013
1.8	"Regulator"	Information Regulator
1.9	"Republic"	Republic of South Africa

2. Purpose of the PAIA Manual

The purpose of this manual is to assist people wishing to access information in terms of the PAIA from Creativity Will Save Us.

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject
- 2.3 know the description of the records of the body which are available in accordance with any other legislation
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied

- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. Key contact details for access to information

3.1 Chief Information Officer

Name: Lene Øverland
Mobile: +27837235812
Email: lene@creativitywillsaveus.org

3.2 Access to Information General Contact Details

Email: sabelo@creativitywillsaveus.org

3.3 Head Office

Postal Address: 71 Main Road Greyton, 7233
Telephone: +27 83 331 2595
Email: sabelo@creativitywillsaveus.org
Website: <https://creativitywillsaveus.org>

4. How to use PAIA and how to obtain access to the guide

- 4.1 The Regulator has, in terms of section 10(1) of PAIA, as amended, updated, and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2 The aforesaid Guide contains the description of-
- 4.2.1 the objects of PAIA and POPIA.
 - 4.2.2 the postal and street address, phone, and fax number and, if available, electronic mail address of-
 - 4.2.2.1 the Information Officer of every public body, and
 - 4.2.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 4.2.3 the manner and form of a request for-
 - 4.2.3.1 access to a record of a public body contemplated in section 11³; and
 - 4.2.3.2 access to a record of a private body contemplated in section 50⁴;

¹ Section 17(1) of PAIA- For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

² Section 56(a) of POPIA- Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

³ Section 11(1) of PAIA- A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁴ Section 50(1) of PAIA- A requester must be given access to any record of a private body if-

- a) that record is required for the exercise or protection of any rights;
- b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
- c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

- 4.2.4 the assistance available from the IO of a public body in terms of PAIA and POPIA.
 - 4.2.5 the assistance available from the Regulator in terms of PAIA and POPIA.
 - 4.2.6 all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 4.2.6.1 an internal appeal.
 - 4.2.6.2 a complaint to the Regulator; and
 - 4.2.6.3 an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body.
 - 4.2.7 the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual.
 - 4.2.8 the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively.
 - 4.2.9 the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
 - 4.2.10 the regulations made in terms of section 92¹¹.
- 4.3 Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.4 The Guide can also be obtained-
- 4.4.1 upon request to the Information Officer

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

5. Categories of records available without an access request

Category of Record	Types of the Record	Available on Website	Available on Request
General Information about Creativity Will Save US		v	

6. Records available in accordance with any other legislation

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000

7. Description of subjects which the body holds records and categories of

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures - Advertised posts - Employees records
Finance	<ul style="list-style-type: none"> - Accounting Records - Financial Policy
IT	<ul style="list-style-type: none"> - Information Technology Details
Intellectual Property	<ul style="list-style-type: none"> - Images - Stories - Audio
Data Bases	<ul style="list-style-type: none"> - Clients - Marketing records - Donors - Partners
Policies and Procedures	<ul style="list-style-type: none"> - Decision Making and Oversight - Design Framework - Fleet Handbook - Staff Handbook - Code of Conduct - Protection of Personal Information - Procurement - Responsibility Matrixes - Risk Mitigation and Management

Subjects on which the body holds records	Categories of records
	- Travel Policy
Organisational Records	<ul style="list-style-type: none"> - Internal Phone Lists - Minutes of Meetings - Administrative Information
Contracts	<ul style="list-style-type: none"> - Memorandum's of Understanding - Letters of Intent
Monitoring, Evaluation and Learning	<ul style="list-style-type: none"> - Impact Reports - Donor Reports - Internal Reports

8. Processing of personal information

8.1 Purpose of processing personal information

- To establish and verify the identity and/or update data subjects' details.
- To administer and manage our service to clients / beneficiaries.
- To measure impact, and improve our operations through monitoring, evaluation, and reporting.
- To notify you of news and /or developments that may be of interest to you.
- To promote the work of Creativity Will Save Us
- To receive and process donations or grants
- To comply with any legal and regulatory requirements; and
- For other activities and/or purposes which are lawful, reasonable, and adequate, relevant, and not excessive in relation to the provision of our services, or such other purpose for which it was collected.

8.2 Categories of data subjects and the information relating thereto

<p>Data subject categories and their personal information</p>	<ul style="list-style-type: none"> • Employees: record of employee life cycle, name, and job title, contact information, title, birth date, demographic information (post code, preferences, and interests), next of kin, identity number or passport number, SARS income tax number, marital status, dependents, financial and employment history • Volunteers and board members: name and job title, contact information, title, birth date, demographic information (post code, preferences, and interests), general enquiries and viewing the company website, identity number or passport number; SARS income tax number, financial and employment history • Supporters and benefactors of Creativity Will Save Us: name, address, contact information, record of donations • Service providers: name, registration number, financial information such as bank account details or VAT registration numbers • Beneficiaries of Creativity Will Save Us services/clients: • name, age, contact information, title, birth date, demographic information (post code, preferences, and interests), identity number or passport number, national origin, physical or mental health, dependents, photographs
<p>Recipients of personal information</p>	<ul style="list-style-type: none"> • Data subjects • Operators (service providers, including consultants) • Statutory authorities • Beneficiaries of Creativity Will Save Us services / clients • Employees of Creativity Will Save Us • Financial institutions • Industry bodies • Supporters and benefactors of Creativity Will Save Us
<p>Expected transnational transfer of personal information</p>	<ul style="list-style-type: none"> • Any transnational transfer of personal information intended by the organisation will be in accordance with the provisions of POPIA
<p>Security measures to protect personal information</p>	<ul style="list-style-type: none"> • Any data collected via paper is processed and entered into the relevant platform for data management and the paper record is destroyed, unless required for legislative reasons. • The organisation regularly reviews its security controls which will include regular testing of protocols and measures put in place to combat cyber-attacks on the organisation's IT network. • The organisation ensures that all paper and electronic records comprising personal information are securely stored and made accessible only to authorised individuals. • IT infrastructure, filing systems and any other devices used for processing personal information meet acceptable security standards. • All electronically stored personal information is backed-up and tested on a regular basis. • All servers and computers containing personal information are protected by the latest security software. • All back-ups containing personal information are protected from unauthorised access, accidental deletion and malicious hacking attempts.

8.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

8.4 Planned transborder flows of personal information

Any transnational transfer of personal information intended by the organisation will be in accordance with the provisions of POPIA

8.5 Information Security Measures

- Any data collected via paper is processed and entered into the relevant platform for data management and the paper record is destroyed, unless required for legislative reasons.
- The organisation regularly reviews its security controls which will include regular testing of protocols and measures put in place to combat cyber-attacks on the organisation's IT network.
- The organisation ensures that all paper and electronic records comprising personal information are securely stored and made accessible only to authorised individuals.
- IT infrastructure, filing systems and any other devices used for processing personal information meet acceptable security standards.
- All electronically stored personal information is backed- up and tested on a regular basis.
- All servers and computers containing personal information are protected by the latest security software.
- All back-ups containing personal information are protected from unauthorised access, accidental deletion, and malicious hacking attempts.

9. Availability of the manual

A copy of the Manual is available on <https://creativitywillsaveus.org> at the office of Creativity Will Save Us for public inspection during normal business hours, to any person upon request and upon the payment of a reasonable prescribed fee, and to the Information Regulator upon request.

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fees. Any other requester who is not a personal requester must pay the required fee:

A fee will be required by the Information Officer before further processing of the request in terms of Section 54 of the Act;

- A requester fee of R250.00 should be paid, this amount will be refunded should the request for access be refused;
- A portion of the access fee (not more than one third) may be required before the request is considered;
- The requester may lodge an application with a court against the payment of the request fee in terms of Section 54(3)(b) of the Act;
- The Information Officer may withhold a record until the requester has paid the applicable fees.

10. Updating of the manual

Creativity Will Save Us will on a regular basis update this manual.

Issued by



Lene Øverland, Chief Integrity Officer

Request for access to record from Creativity Will Save Us Form

(Section 53 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

1. Particulars of person requesting access to the record

The particulars of the person who requests access to the record must be given below. The address and/or e-mail to which the information is to be sent must be given. Proof of the capacity in which the request is made, if applicable must be attached.	
Full names and surname:	
Identity number:	
Postal address:	
Telephone number:	
E-mail address:	
Capacity in which request is made, when made on behalf of another person	

2. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.	
Full names and surname:	
Identity number:	

3. Particulars of record

Provide full particulars of the records to which access is requested

- A. Description of record or relevant part of the record:
- B. Any further particulars of record

4. Fees

A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.

You will be notified of the amount required to be paid as the request fee.

The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.

If you qualify for exemption of the payment of any fee, please state the reason for exemption.

5. Form of access to record

If you are prevented by a disability to read, view, or listen to the record in the form of access provided for in A to D below, state your disability and indicate in which form the record is required.

Disability		Form in which record is required	
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Note:

- Compliance with your request for access in the specified form may depend on the form in which the record is available.
- Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

Mark the appropriate box with an X.

A. If the record is in written or printed form:					
	Copy of record *		Inspection of record		
B. If record consists of visual images – (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)					
	View images		Copy of the images *		Transcription of the images *
C. If record consists of recorded words or information which can be reproduced in sound:					
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack * (written or printed document)		
C. If record is held on computer or in an electronic or machine-readable form:					
	Printed copy of record *		Printed copy of information derived from the record *		Copy in computer readable form * (memory stick)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable	Yes	No
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6. Particulars of right to be exercised or protected

Indicate which right is to be exercised or protected

Explain why the record requested is required for the exercise or protection of aforementioned right

7. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved or denied. If you wish to be informed in another manner, please specify the manner, and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record.

Signed at _____ this _____ day. _____ of _____

Signature of requester / Person on whose behalf request is made